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JAN 25 2007

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TO: Commissioner of Patents

FAX NO.: (571) 273-8300

FROM: Kin-Wah Tong, Esq.

DATE: January 25, 2007

MATTER: U.S. Serial No. 09/362,199 filed July 28, 1999

DOCKET NO.: 2685/5226 (ATT/111053CON)

APPLICANT: Joel I. Javitt, et al.

The following has been received in the U.S. Patent and Trademark Office on the date of this facsimile:

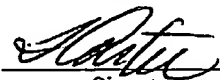
☒ Petition to Revive under 37 C.F.R. § 1.137
☒ Petition for Revival of An Application for Patent
Abandoned Unintentionally Under 37 C.F.R. § 1.137 (PTO/SB/64)
____ Priority Document
☒ Issue Fee Transmittal and Payment

☒ Transmittal Letter (2 copies)
☒ Fee Transmittal (2 copies)
☒ Deposit Account Transaction
☒ Facsimile Transmission Certificate
dated January 25, 2007

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.8

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Tara Carter
Name of person signing this certificate

 January 25, 2007
Signature and date

539896_1

PTO/SB/21 (07-06)

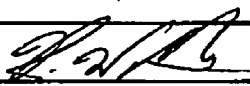
Approved for use through 09/30/2006. OMB 0651-0031

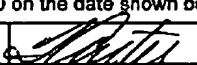
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/362,199	RECEIVED CENTRAL FAX CENTER JAN 25 2007
	Filing Date	July 28, 1999	
	First Named Inventor	Joel I. Javitt, et al.	
	Art Unit	2617	
	Examiner Name	Ewart, James D.	
Total Number of Pages in This Submission	Attorney Docket Number	2685/5226	

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition to Revive 37 C.F.R. § 1.137 <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) ____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Issue Fee Transmittal Facsimile Transmission
Remarks 		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm	Patterson & Sheridan, LLP		
Signature			
Printed Name	Kin-Wah Tong, Esq.		
Date	01/25/2007	Reg. No.	39,400

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature			
Typed or printed name	Tara Carter	Date	January 25, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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539923_1

PTO/SB/64 (07-05)

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U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)
2885/5228
(ATT/111053CON)

First named inventor: Joel I. Javitt, et al.

Application No.: 09/362,199

Art Unit: 2617

Filed: July 28, 1999

Examiner: Ewart, James D.

Title: METHOD AND APPARATUS FOR TRANSMITTING HIGH RATE PACKET DATA OVER UNDER-
UTILIZED VIRTUAL CIRCUITS**RECEIVED
CENTRAL FAX CENTER****JAN 25 2007**Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX: (571) 273-8300NOTE: If information or assistance is needed in completing this form, please contact
Petitions Information at (571) 272-3282.The above-identified application became abandoned for failure to file a timely and proper reply to a notice
or action by the United States Patent and Trademark Office. The date of abandonment is the day after the
expiration date of the period set for reply in the Office notice or action plus any extensions of time actually
obtained.**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee – required for all utility and plant
applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee☐ Small entity - fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR
1.27.☒ Other than small entity - fee \$1500.00 (37 CFR 1.17(m))**2. Reply and/or fee**A. The reply and/or fee to the above-noted Office action in
the form of (identify type of reply):

- ☐ has been filed previously on _____.
- ☐ is enclosed herewith.

B. The issue fee of \$ 1400.00

- ☐ has been paid previously on _____.
- ☒ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to
file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is
estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will
vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for
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Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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537224-1

09362199

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1500.00 DA

03 FC:1453

PTO/SB/64 (07-06)

Approved for use 09/30/2006. OMB 0851-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

X Thomas A. Restaino 1/23/07
 Signature Date
 Thomas A. Restaino 33,444
 Typed or printed name Registration Number, if applicable
 AT&T Corp. (908) 532-1880
 Address Telephone Number
 Room 2A-207, One AT&T Way, Bedminster, New Jersey 07921
 Address

Enclosures: ☐ Fee Payment☐ Reply☐ Terminal Disclaimer Form☐ Additional sheets containing statements establishing unintentional delay☐ Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.☒ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

 Date Signature

Typed or printed name of person signing certificate

[Page 2 of 2]

537224-1

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Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).		Complete If Known		RECEIVED CENTRAL FAX CENTER JAN 25 2007
		Application Number	09/362,199	
FEE TRANSMITTAL for FY 2006		Filing Date	July 28, 1999	
		First Named Inventor	Joel I. Javitt, et al.	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Examiner Name	Ewart, James D.	
TOTAL AMOUNT OF PAYMENT (\$)		Art Unit	2817	
		Attorney Docket No.	2885/5228 (ATT/111053CON)	

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify) : _____

☒ Deposit Account Deposit Account Number: 20-0782 Deposit Account Name: Patterson & Sheridan, LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) ☒ Credit any overpayments

Under 37 CFR 1.16 and 1.17

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180
Total Claims	Extra Claims	Fee (\$)
_____ -20 or HP= _____	x _____	= _____
HP = highest number of total claims paid for, if greater than 20.		
Indep. Claims	Extra Claims	Fee (\$)
_____ -3 or HP= _____	x _____	= _____
HP = highest number of independent claims paid for, if greater than 3.		

3. APPLICATION SIZE FEE

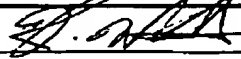
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____ - 100 = _____	/ 50 = _____	(round up to a whole number) x _____	= _____	

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)	
Other (e.g., late filing surcharge): Utility Patent Issue Fee Payment	1400.00
Petition to Revoke Pursuant to 37 C.F.R. 1.137(b)	1500.00

SUBMITTED BY

Signature		Registration No. (Attorney/Agent)	39,400	Telephone	(732) 530-8404
Name (Print/Type)	Kin-Wah Tong, Esq.	Date	January 25, 2007		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

539921 1

Petition to Revive with Payment of Issue Fee
Atty. Dkt. No. ATT/111053CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**RECEIVED
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In re Application of: Joel I. Javitt, et al.

Serial No.: 09/362,199

Filed: July 28, 1999

For: METHOD AND APPARATUS FOR
TRANSMITTING HIGH RATE PACKET
DATA OVER UNDER-UTILIZED
VIRTUAL CIRCUITS

§
§
§
§
§
§
§
§

Group Art Unit: 2617

Confirmation No.: 6554

Examiner: Ewart, James D.


JAN 25 2007

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.8

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January 25, 2007
Date


Signature

Dear Sir:

**PETITION TO REVIVE PURSUANT TO 37 C.F.R. §1.137(b)
AND PAYMENT OF ISSUE FEE**

Applicants respectfully petition for revival of the unintentionally abandoned U.S. Patent Application Serial No. 09/362,199 under C.F.R. §1.137(b). The above-identified application became abandoned for failure to timely pay the Issue Fee according to the deadline set forth on the Notice of Allowance dated August 1, 2006, which set a three (3) month non-extendable statutory period for payment expiring on November 1, 2006.

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 C.F.R. §1.137(b) was unintentional. This petition is filed within two (2) months of the date the applicant was first notified, or otherwise became aware, that the application was abandoned and within one (1) year of the date of abandonment of the application. A Terminal Disclaimer is not required, as this application was filed on or after June 8, 1995. Enclosed are the Issue Fee Transmittal and the Petition for Revival form authorizing payment from Deposit Account

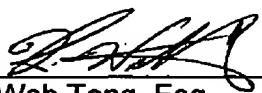
Petition to Revive with Payment of Issue Fee
Atty. Dkt. No. ATT/111053CON

No. 20-0782 for the \$2,900.00 unintentional abandonment petition fee and for the Utility Patent Issue Fee Payment. The Commissioner is authorized to charge Deposit Account No. 20-0782 for any other fees required to make this petition timely and acceptable to the Office.

Respectfully Submitted,

Dated: 1/25/07

Patterson & Sheridan, LLP
595 Shrewsbury Ave.
Shrewsbury, NJ 07702


Kin-Wah Tong, Esq.
Reg. No. 39,400
(732) 530-9404

JAN 25 2007

Complete and send this form, together with applicable fee(s), to: **Mail** Mail Stop **ISSUE FREE**
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (571)-273-2885

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

25632 7590 03/01/2006

01/26/2007 01:55:12 PM 0000000007 200782 09362199

01 FC:1501	1400.00	DA
02 FC:8001	3.00	DA

Certificate of Mailing or Transmission
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Tara Carter

(Depositor's name)

(Signature)

January 25, 2007

(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/362,199	07/28/1999	JOEL L JAVITT	2685/5226	6554

TITLE OF INVENTION: METHOD AND APPARATUS FOR TRANSMITTING HIGH RATE PACKET DATA OVER UNDER-UTILIZED VIRTUAL CIRCUITS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$0	\$0	\$1400	11/01/2006

EXAMINER	ART UNIT	CLASS-SUBCLASS
EWART, JAMES D	2617	370-329000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

AT&T Corp.

New York, NY USA

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☒ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☒ Advance Order - # of Copies 1

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☒ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment. To Deposit Account Number 20-0782 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature

Date January 25, 2007

Typed or printed name Kin-Wah Tong Esq.

Registration No. 39,400

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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